

CALENDAR ITEM

C80

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12/18/15
PRC 6092.1
A. Franzoia

**GENERAL LEASE – RECREATIONAL
AND PROTECTIVE STRUCTURE USE**

APPLICANT:

Jeffrey T. Allen and Kathleen M. Allen, Trustees of the Jeffrey T. and Kathleen M. Allen Revocable Trust

AREA, LAND TYPE, AND LOCATION:

0.092 acre, more or less, of tide and submerged land in the Sacramento River, adjacent to 3039 Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing covered floating boat dock, piling, two-piling dolphin, ramp, and bank protection.

LEASE TERM:

10 years, beginning January 12, 2016.

CONSIDERATION:

Covered Floating Boat Dock, Piling, Two-Piling Dolphin, and Ramp: \$246 per year, with an annual Consumer Price Index adjustment.

Bank Protection: Public use and benefit, with the State at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On February 9, 2006, the Commission authorized a General Lease – Recreation and Protective Structure to Jeffrey T. Allen and Kathleen M.

CALENDAR ITEM NO. **C80** (CONT'D)

Allen Trustees of the Jeffrey T. and Kathleen M. Allen Revocable Trust. That lease will expire on January 11, 2016. The Applicant is applying for a new lease.

3. The bank protection mutually benefits both the public and the Applicant. The bank of the Sacramento River will have additional protection from wave action provided at no cost to the public.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

CALENDAR ITEM NO. **C80** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Jeffrey T. Allen and Kathleen M. Allen, Trustees of the Jeffrey T. and Kathleen M. Allen Revocable Trust beginning January 12, 2016, for a term of 10 years, for the continued use and maintenance of an existing covered floating boat dock, piling, two-piling dolphin, ramp, and bank protection previously authorized by the Commission as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration for the covered floating boat dock, piling, two-piling dolphin, and ramp: \$246 per year, with an annual Consumer Price Index adjustment; consideration for the bank protection: the public use and benefit with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 6092.1

LAND DESCRIPTION

One parcel of tide and submerged land situated in the bed of the Sacramento River, lying adjacent to Swamp and Overflow Lands survey 206, patented August 2, 1869 24, County of Sacramento, State of California, more particularly described as follows:

All those lands underlying an existing covered floating boat dock, three wood pilings, and gangway lying adjacent to that parcel described in Quitclaim Deed recorded March 4, 1996 as Document Number 199603040344 in Official Records of Sacramento County.

TOGETHER WITH any applicable impact area.

ALSO TOGETHER WITH that land lying immediately beneath any bank protection structure lying adjacent to said deed.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the left bank of the Sacramento River.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 11/05/2015 by the California State Lands Commission Boundary Unit.



SACRAMENTO
RIVER

9' IMPACT AREA
9' x 40'

EXISTING COVERED
SINGLE BERTH FLOATING
BOAT DOCK

EXISTING
GANGWAY

EXISTING
WOOD
PILINGS (3)

EXISTING BANK
PROTECTION

APPROX.
SHORELINE

TOP OF BANK

APN 225-0200-005

EXHIBIT A

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LAND DESCRIPTION PLAT
PRC 6092.1, ALLEN REVOCABLE TRUST
SACRAMENTO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE

SACRAMENTO
RIVER

9' IMPACT AREA
9' x 40'

EXISTING COVERED
SINGLE BERTH FLOATING
BOAT DOCK

EXISTING BANK
PROTECTION

EXISTING
RAMP

EXISTING TWO
PILING DOLPHIN

PILING

APPROX.
SHORELINE

TOP OF BANK

APN 225-0200-005

3039 GARDEN HIGHWAY, NEAR SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 6092.1
ALLEN REVOCABLE TRUST
APN 225-0200-005
GENERAL LEASE -
RECREATIONAL & PROTECTIVE
STRUCTURE USE
SACRAMENTO COUNTY



RGB 11/05/15